

Bureau of Land Management, Interior

§ 3420.3-1

(d) Prior to determining a final leasing level, the Secretary shall consult with the Governors of affected States to obtain final comments and recommendations. The Secretary shall then establish a final leasing level for the proposed coal lease sale.

(e) The levels shall be established for each coal production region where activity planning is conducted under the provisions of § 3420.3 of this subpart. The levels shall be developed separately for each region, but levels for 2 or more regions may be developed at the same time as the Secretary deems appropriate. Leasing levels may be stated in terms of a range of values.

(f) The leasing levels established for any given region shall become the basis for the proposed action for study in the regional coal lease sale environmental impact statement prepared pursuant to § 3420.3-4 of this subpart. The Secretary's final decision on which coal lease tracts, if any, within a region to offer for sale, and the schedule for the offering of such tracts shall be based on all information at the Secretary's disposal at the time of the decision.

[47 FR 33137, July 30, 1982, as amended at 48 FR 37655, Aug. 19, 1983; 50 FR 8626, Mar. 4, 1985; 64 FR 52242, Sept. 28, 1999]

EFFECTIVE DATE NOTE: At 64 FR 52242, Sept. 28, 1999, § 3420.2 was amended by removing the last sentence of paragraph (a)(1) and adding in its place two sentences, revising the last sentence of paragraph (a)(4), removing "and" from the end of paragraph (c)(8), redesignating paragraph (c)(9) as paragraph (c)(10), and adding a new paragraph (c)(9), effective Oct. 28, 1999. For the convenience of the user, the superseded text is set forth as follows:

§ 3420.2 Regional leasing levels.

(a)(1)* * * This range of initial leasing levels shall be based on information available to the State Director, including land use planning data, the results of the call for coal resource information held under § 3420.1-2 of this subpart, the results of the call for expressions of leasing interest held under § 3420.3-2 of this subpart and other considerations, including input and advice from the Governors of the affected States regarding assumptions, data, and other factors pertinent to the region;

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(4) * * * All Governor's comments and recommendations shall also be transmitted to

the Secretary, without change, as a part of the team transmittal; and

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§ 3420.3 Activity planning: The leasing process.

§ 3420.3-1 Area identification process.

(a) This section describes the process for identifying, ranking, analyzing, selecting, and scheduling lease tracts after land use planning has been completed. This process constitutes the "activity planning" aspect of the coal management program. Activity planning may occur where areas acceptable for further consideration for leasing have been identified by land use planning completed consistent with the provisions of § 3420.1-4 of this subpart.

(b) Split estate land otherwise acceptable for further consideration for leasing shall, upon verification of a refusal to consent received from a qualified surface owner under § 3427.2 of this title, be deleted from further activity planning.

(c) Each regional coal team established under § 3400.4 of this title shall:

(1) Guide tract delineation and preparation of site specific analyses of delineated tracts;

(2) Rank delineated tracts, select tracts that meet the leasing level established by the Secretary, and identify all alternative tract combinations to be analyzed in the regional lease sale environmental impact statement;

(3) Guide the preparation of the regional lease sale environmental impact statement; and

(4) Recommend a regional coal lease sale schedule to the Director.

(d) Public notice and opportunity for participation in activity planning must be appropriate to the area and the people involved. The Bureau of Land Management will make available a calendar listing of the points in the planning process at which the public may participate, including:

(1) The regional coal team meeting to recommend initial leasing levels (see § 3420.2(a)(4));

(2) The regional coal team meeting for tract ranking (see § 3420.3-4(a));

(3) Publication of the regional coal lease sale environmental impact statement (see § 3420.3-4(c)); and